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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,129	03/11/2004	Raj Bridgelall	022.0029 (1631)	7093
29906	7590	09/12/2006	EXAMINER	
INGRASSIA FISHER & LORENZ, P.C.			HOLLOWAY III, EDWIN C	
7150 E. CAMELBACK, STE. 325				
SCOTTSDALE, AZ 85251			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,129

Applicant(s)

BRIDGELALL ET AL.

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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EXAMINER'S RESPONSE

1. In response to applicant's amendment filed 6-28-06, all the amendments to the specification and claims have been entered. The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 102 & 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 6-7, 10-12, 14-15, 16-19, 22-24 and 26-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Forster '376 (US 20040106376A1).

Regarding claim 1, Forster '376 discloses an inventory transport device 40 with an RFID reader device mounted on movable section 44 and an RFID power device 49 mounted on fixed section 42. The RFID reader device includes an interrogation reader 20 and power storage unit 30 coupled to a power antenna 70 in recharging unit 48. Mounted on fixed section 42 of the transport device is an RFID power device 49 including AC power signal generator 64 (AC power signal 64 is supplied by a power system onboard the forklift truck such as its battery, engine or

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other source) and antenna 68. The antenna 68 receiving a signal 64 from the signal generator and transmits an output signal 71 to induce a voltage (pg. 4, col. 1 line 3) in the power antenna 70 to produce energy for storage in power storage unit 30. Note that interrogation reader 20 (including power storage unit 30), conductive connection 66, recharging unit 48 (including antenna 70) and antenna array 29 are all part of the reader device mounted on the movable section 44 in fig. 3. See paragraphs 0009, 0030, 0032-0037 and 0040.

Regarding claim 16, Forester '376 includes an RFID reader with interrogation reader 20 including RFID transceiver 24 configured to broadcast interrogations and receive responses. The RFID reader also includes a power antenna 70 that receives a power signal 71/64 from RFID power device 49, the power signal inducing a voltage (pg. 4, col. 1 line 3) in the power antenna 70. The RFID reader further includes a power source 30 coupled to the power antenna 70 and coupled to the transceiver 24, the power source configured to store energy received from the voltage induced in the power antenna. See figs. 3-4, 6 and paragraphs 0009, 0030, 0032-0037 and 0040.

Regarding claims 6-7 and 18-19 the reader antenna array 29 includes antennas 28 on movable section 44 that is an L-shaped arm or fork in paragraphs 0033 and 0035. Regarding claims 10

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and 20, paragraph 0033 of Forster '376 incorporates by reference SN 09810858 that includes an antenna switch 60 in fig. 5 shown in publication US 20020130817A1. Regarding claims 11 and 23 the transport device is a forklift 40 in paragraph 0032. Regarding claims 12, 14-15, 24, and 26-27, power device 49 provides power via inductive power transfer and is coupled to an external power such as the forklift truck battery in paragraph 0037.

4. Claims 2-3, 13 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forster '376 (US 20040106376A1) as applied above in combination with Cybulski (US 6669089B2).

Forster '376 includes a reporting system with user interface in paragraph 0044 but does not specify mounting in the vehicle.

Cybulski discloses a forklift with user terminal 500 in the fixed section of the vehicle to accept user input to control the reader and the movable section in col. 10 line 66 - col. 11 line 20. Wireless communication is included in col. 10 lines 15-35.

Regarding claim 2, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included Forster '375 the user terminal mounted in the forklift as disclosed in Cybulski to allow convenient control by the forklift operator. Regarding claim 3, wireless communication

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would have been obvious in view of the wireless communication in col. 10 lines 29-30 of Cybulski and suggested by paragraph 0007 of Forster '376 to prevent drag and/or avoid damage. Regarding claims 13 and 25, internal power for the inductive link would have been obvious because Forster '376 disclosing in paragraph 0037 that the inductive power may be provided by other source and another source may be internal in view of interrogation reader 20 including an internal source 30 supplying power for inductive transfer to a tag in paragraph 0029 of Forster '376 and Cybulski disclosing readers on both the movable and fixed sections in col. 9 so that the fixed portion would have been an obvious location for an internal source for the purpose of supplying power.

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forster '376 (US 20040106376A1) and Cybulski (US 6669089B2) as applied above in combination with Mahany (US 5682679).

Mahany discloses a forklift with short range wireless LAN communication protocol for increased efficiency in power management and compensation for transmission collisions. See the abstract and col. 5.

Regarding claims 4-5, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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have included in the combination applied above short range wireless LAN communication protocol as disclosed in Mahany for increased efficiency in power management and compensation for transmission collisions and is at least suggested by paragraph 0045 of Forster '376 referring to other networking communications.

6. Claims 8-9 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forster '376 (US 20040106376A1) as applied above in combination with Lee (US 6307517B1).

Lee discloses a hermetically sealed RFID reader in col. 6 that would have been obvious in Forster '375 for protection from the environment and suggested by paragraph 0007 of Forster '376 referring to environmental damage.

Response to Arguments

7. Applicant's arguments filed 6-28-06 have been fully considered but they are not persuasive.

Applicant argues that that Forster '376 lacks the RFID reader device comprising a power antenna connected to a power storage unit of claim 1 because the reader of Forster '376 is connected by conductive connection 66 to recharging unit 48 that is a wired source and the reader 20 lacks a power antenna. This argument is not persuasive because Forster '376 discloses a recharging unit 48 that includes a power antenna 70.

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Interrogation reader 20 (including power storage unit 30), conductive connection 66, recharging unit 48 (including antenna 70) and antenna array 29 are all part of the reader device mounted on the movable section 44 in fig. 3 that receives power by contactless transfer from a power device 49 located on the fixed portion 42. Note that the antenna array 29 extends past the conductive connection 66 to the recharging unit 48 in fig. 3, showing that this is part of a common reader assembly or device co-located on movable portion 44.

The argument that applicant eliminates the recharging unit 48 and connection 66 is not persuasive because applicant's power antenna corresponds to the recharging unit 48 and applicant's coupling between the power storage unit and power antenna correspond to connection 66. Further, "comprising" is open claim terminology that does not eliminate these elements.

The arguments regarding claims 2-27 correspond to the arguments directed to claim 1 and are not persuasive for the same reasons applied above to claim 1.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

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action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

CONTACT INFORMATION

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 571-272-4100 or toll free at 1-866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.

Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600. Facsimile submissions may be sent via central fax number 571-273-8300 to customer service for entry by technical support staff. Questions related to the operation of the facsimile system should be directed to the Electronic Business Center.


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transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number. Inquiries concerning only hours and location of the Customer Window may be directed to OIPE Customer Service at (571) 272-4000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308.

EH
9/7/06


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
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